

[Counsel identified on signature page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

EOLAS TECHNOLOGIES  
INCORPORATED,

Plaintiff,

v.

AMAZON.COM, INC.,

Defendant.

Case No. 3:17-cv-03022-JST-JSC

**JOINT STIPULATION AND  
~~PROPOSED~~ ORDER TO EXTEND  
EOLAS'S DEADLINE FOR  
RESPONDING TO COURT'S  
DECEMBER 21, 2017 ORDER (ECF NO.  
414)**

Pursuant to Civil Local Rule 6-2, and Civil Local Rule 7-12, , Plaintiff Eolas Technologies Incorporated (“Eolas”) and Defendant Amazon.com, Inc. (“Amazon”), by and through their respective attorneys, hereby submit the following Joint Stipulation, as follows:

WHEREAS, on December 21, 2017, the Court entered an Order: (1) ordering “on or before January 18, 2018, Eolas shall produce these non-confidential attachments and produce an updated privilege log, or file a brief explaining how it can claim attorney-client or work-product privilege over” certain documents as well as “submit to the Court for *in camera* review any documents which it has omitted from its recent log and its *in camera* production from the January 1, 2014- July 22, 2014 timeframe which would include EOLASPRIV-CK00328 through EOLASPRIV-CK00421” (referred to herein as “Eolas’s Response to the Court’s December 21 Order”); and (2) setting a discovery hearing for February 1, 2018, at 9:00 a.m. in Courtroom F, 450 Golden Gate Ave. San Francisco, California (ECF No. 414);

WHEREAS, on January 8, 2018, the Court entered a Notice setting the start time for the February 1, 2018, hearing at 11:00 a.m. (ECF No. 415);

WHEREAS, on January 9, 2018, the parties jointly stipulated to move the hearing to January 25, 2018, in light of the scheduling conflict for Amazon’s counsel (ECF No. 417);

WHEREAS, on January 11, 2018, a closely related family member of one of Eolas’s counsel who had planned to substantively participate in Eolas’s Response to the Court’s December 21 Order passed away;

WHEREAS, on January 12, 2018, after emails were exchanged between counsel for the parties and the Courtroom Deputy for the Court between January 10, 2018, and January 12, 2018, the Court, at the request of the parties, continued the hearing to March 29, 2018, at 9:00 a.m. in Courtroom F, 450 Golden Gate Ave. San Francisco, California at the request of the parties (ECF No. 420);

WHEREAS, the parties have met and conferred and agreed to extend the deadline for Eolas’s Response to the Court’s December 21 Order from January 18, 2018, to January 25, 2018;

1 NOW THEREFORE IT IS HEREBY STIPULATED AND THE PARTIES JOINTLY  
2 REQUEST that the Court extend the deadline for Eolas's Response to the Court's December 21  
3 Order to January 25, 2018.

4  
5  
6 DATED: January 16, 2018

Respectfully submitted,

8 By /s/ Mike McKool

9 Stephanie Adams Ryan, SBN 289548  
MCKOOL SMITH, P.C.  
255 Shoreline Drive, Suite 510  
10 Redwood Shores, California 94065  
Tel: (650) 394-1400; Fax: (650) 394-1422  
11 [sadamsryan@mckoolsmith.com](mailto:sadamsryan@mckoolsmith.com)

12 Mike McKool, TX SBN 13732100  
(admitted *Pro Hac Vice*)  
13 McKool Smith, P.C.  
300 Crescent Court, Suite 1500  
14 Dallas, TX 75201  
Tel: (214) 978-4000; Fax: (214) 978-4044  
15 [mmckool@mckoolsmith.com](mailto:mmckool@mckoolsmith.com)

16 John B. Campbell, TX SBN 24036314  
(admitted *Pro Hac Vice*)  
17 Kevin Burgess, TX SBN 24006927  
(admitted *Pro Hac Vice*)  
18 Craig N. Tolliver, TX SBN 24028049  
(admitted *Pro Hac Vice*)  
19 James E. Quigley, TX SBN 24075810  
(admitted *Pro Hac Vice*)  
20 MCKOOL SMITH, P.C.  
300 West 6th Street, Suite 1700  
21 Austin, Texas 78701  
Tel. (512) 692-8700; Fax: (512) 692-8744  
22 [kburgess@mckoolsmith.com](mailto:kburgess@mckoolsmith.com)  
[jbcampbell@mckoolsmith.com](mailto:jbcampbell@mckoolsmith.com)  
23 [ctolliver@mckoolsmith.com](mailto:ctolliver@mckoolsmith.com)  
[jqigley@mckoolsmith.com](mailto:jquigley@mckoolsmith.com)

24 Attorneys for Plaintiff  
25 Eolas Technologies Incorporated

26  
27 By /s/ Joseph Lee

28 DOUGLAS E. LUMISH, Bar No. 183863  
[doug.lumish@lw.com](mailto:doug.lumish@lw.com)

1 RICHARD G. FRENKEL, Bar No. 204133  
rick.frenkel@lw.com  
2 JEFFREY G. HOMRIG, Bar No. 215890  
jeff.homrig@lw.com  
3 NICHOLAS YU, Bar No. 298768  
nicholas.yu@latham.com  
4 LATHAM & WATKINS LLP  
140 Scott Drive  
Menlo Park, CA 94025  
5 Telephone: (650) 328-4600  
Facsimile: (650) 463-2600

7 JOSEPH H. LEE, Bar No. 248046  
joseph.lee@lw.com  
LATHAM & WATKINS LLP  
8 650 Town Center Drive, 20th Floor  
Costa Mesa, CA 92626-1925  
9 Telephone: (714) 540-1235  
Facsimile: (714) 755-8290

11 AMIT MAKKER, Bar No. 280747  
amit.makker@lw.com  
LATHAM & WATKINS LLP  
12 505 Montgomery Street, Suite 2000  
San Francisco, CA 94111-6538  
13 Telephone: (415) 395-8034  
Facsimile: (415) 395-8095

15 MELISSA ARBUS SHERRY (pro hac vice)  
melissa.sherry@lw.com  
ELANA NIGHTINGALE DAWSON (pro hac vice)  
16 elana.nightingaledawson@lw.com  
LATHAM & WATKINS LLP  
17 555 Eleventh Street, Suite 1000  
Washington, DC 20004-1304  
18 Telephone: (202) 637-2200  
Facsimile: (202) 637-2201

20 JENNIFER H. DOAN (pro hac vice)  
jdoan@haltomdoan.com  
JOSHUA R. THANE (pro hac vice)  
21 jthane@haltomdoan.com  
J. RANDY ROESER (pro hac vice)  
22 rroeser@haltomdoan.com  
HALTOM & DOAN  
23 6500 Summerhill Road, Suite 1000  
Texarkana, TX 75503  
24 Telephone: (903) 255-1000  
Facsimile: (903) 255-0800

26 GRANT KINSEL, Bar No. 172407  
gkinsel@perkinscoie.com  
PERKINS COIE, LLP  
27 1203 3rd Street, 39th Floor  
Seattle, WA 98112

28 -3-

Telephone: (206)-395-316  
Facsimile: (206) 359-9000

Counsel for Defendant  
AMAZON.COM, INC.

**ATTESTATION**

I, Mike McKool, am the ECF user whose user ID and password authorized the filing of this document. Under Civil L.R. 5-1(i)(3), I attest that all signatories to this document have concurred in this filing.

DATED: January 16, 2018

/s/ Mike McKool  
Mike McKool

**~~PROPOSED~~ ORDER**

Plaintiff Eolas Technologies Incorporated (“Eolas”) and Defendant Amazon.com, Inc. (“Amazon”) have stipulated to extend Eolas’s deadline to respond to the Court’s December 21, 2017 Order (ECF No. 414) from January 18, 2018, to January 25, 2018.

The parties’ joint stipulation is GRANTED. Eolas’s deadline to respond to the Court’s December 21, 2017 Order (ECF No. 414) is extended from January 18, 2018, to January 25, 2018

PURSUANT TO THE PARTIES’ STIPULATION, IT IS SO ORDERED.

DATED: January 16, 2018

  
Honorable Jacqueline Scott Corley  
United States Magistrate Judge